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Permanent Forum on Indigenous Issues

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Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Human rights

1. The Permanent Forum congratulates James Anaya on the successful conclusion of his term as Special Rapporteur on the rights of indigenous peoples. The Forum reinforces the conclusions of the Special Rapporteur about the enlightened, pragmatic and optimistic approaches of the indigenous human rights movement. It also welcomes the recent appointment of Victoria Tauli-Corpuz as the Special Rapporteur on the rights of indigenous peoples and looks forward to working closely with her.
2. The Permanent Forum welcomes the presentations made by Wilton Littlechild on behalf of the Expert Mechanism on the Rights of Indigenous Peoples, by Francisco Cali, President of the Committee on the Elimination of Racial Discrimination, Soyata Maiga, on behalf of the African Commission on Human and Peoples' Rights, and Emilio Alvarez, Executive Secretary of the Inter-American Commission on Human Rights. The Forum also congratulates Mr. Cali and acknowledges his appointment as the first indigenous person to be appointed as President of a United Nations treaty body.
3. The Permanent Forum reiterates its previous relevant recommendations and recognizes the continuing need to review existing laws and constitutions based upon international human rights norms and standards, especially in relation to persistent forms of racial discrimination in the context of indigenous peoples.



4. In accordance with article 42 of the United Nations Declaration on the Rights of Indigenous Peoples, the Permanent Forum urges States to conduct an independent audit of their constitutional and other laws, policies and programmes in order to assess their consistency with the United Nations Declaration on the Rights of Indigenous Peoples and the International Convention on the Elimination of All Forms of Racial Discrimination, and to amend such laws, policies and programmes in order to remove all forms of discrimination. In particular, the Forum urges States to prioritize laws, policies and programmes that target hate speech and political and racial vilification.

5. The Permanent Forum acknowledges the continuing negotiations between the Nordic States and the Sami peoples towards the adoption of a Nordic Sami convention. The Forum recommends that the minimum international human rights standards contained in the United Nations Declaration on the Rights of Indigenous Peoples be the framework for all negotiations concerning the convention and the harmonizing of Sami rights within Nordic countries. It urges Nordic States to recognize and respect the Sami peoples' right to self-determination, to determine their own identity or membership of their institutions in accordance with their customs and their right not to be subjected to forced assimilation, consistent with articles 8 and 33 of the Declaration, the conclusions and recommendations of the Special Rapporteur on the rights of indigenous peoples and the Committee on the Elimination of Racial Discrimination (see CERD/C/FIN/CO/19, para. 13).

6. The Permanent Forum calls the attention of States to the need to create or strengthen national bodies with a mandate for the protection of the rights and interests of indigenous peoples in line with the United Nations Declaration on the Rights of Indigenous Peoples. The Forum notes the efforts of certain States to create institutions for the rights and interests of indigenous peoples as Government bodies, including ombudsmen who deal with issues and situations regarding the protection of the rights and interests of indigenous peoples. It recommends that other States draw upon such experiences which highlight the promotion and protection of the rights of indigenous peoples.

7. The Permanent Forum urges all Member States and United Nations agencies and country teams to initiate indigenous human rights training and education programmes in their institutions and activities, in particular the existing and emerging international jurisprudence on the human rights and standards contained in the Declaration on the Rights of Indigenous Peoples and their application and relevance at the national and local levels.